

REMARKS/ARGUMENTS

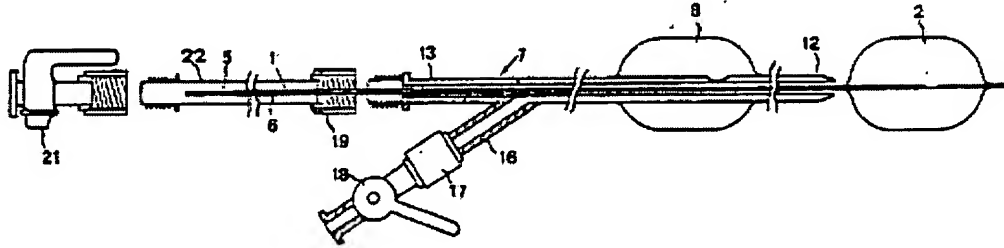
The preceding amendments and following remarks are submitted in response to the non-final Office Action mailed January 15, 2004, setting a three-month shortened statutory period for response ending April 15, 2004. Reconsideration, examination and allowance of all pending claims are respectfully requested.

35 U.S.C. § 102(b) Rejections

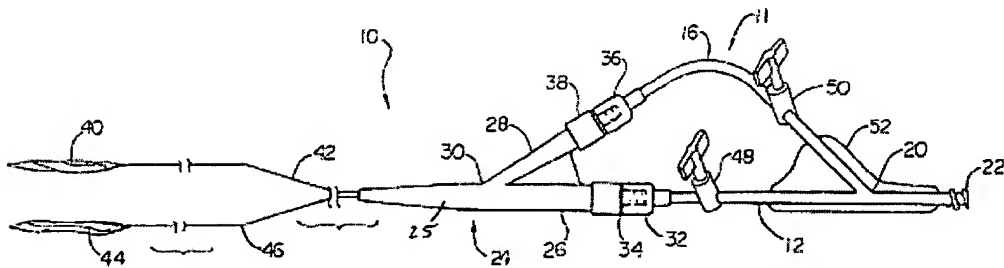
On page 2 of the Office Action, the Examiner rejected claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by *Fina* (U.S. Patent No. 4,911,163). The Examiner states that *Fina* discloses a dual balloon valve control system comprising a bifurcated tubular member defining a first fluid line having a proximal end and distal end, a second fluid line having a proximal end and distal end, a finger grip, a one-way stopcock in the first line, and a one-way stopcock in the second line.

Applicants respectfully assert that *Fina* does not disclose or suggest the dual balloon valve control accessory device recited in claims 1-5. *Fina* discloses a catheter device (10) including an inner catheter (1) in fluid communication with a first balloon (2), and an outer catheter (7) disposed about the inner catheter (1) and in fluid communication with a second balloon (8). As can be seen, for example, in Figure 2 of *Fina* (reproduced below), the outer catheter (7) defines a longitudinal fluid conduit that extends proximally to a screw connector (19), coaxial conduit (22), and stopcock (21) for inflating the second balloon (8). A lateral fluid conduit (16) of the catheter device (10), in turn, is provided with a separate screw connector (17) and stopcock (18) for inflating the first balloon (2). As shown in Figure 2, the longitudinal fluid conduit (7) and lateral

fluid conduit (16) are not in fluid communication with each other, but instead are fluidly separated from each other to permit selective inflation of the two balloons (2,8).



(Figure 2 of Fina)



(Figure 1 of Application)

In contrast, claim 1 of the present invention recites a dual balloon valve control accessory device for use with a stent delivery catheter including, *inter alia*, a second fluid line being in fluid communication with a first fluid line at a bifurcation point located at the proximal end of the second fluid line. This structure can be clearly seen, for example, in Figure 1 of the Application (reproduced above), which shows the second fluid line (16) in fluid communication with the first fluid line (12) at a bifurcation point (20).

Unlike the dual balloon valve control accessory device recited in claim 1, the lateral fluid conduit (16) disclosed by *Fina* is not in fluid communication with the longitudinal fluid conduit (7) at a bifurcation point located at the proximal end of the

lateral fluid conduit (16). Instead, as can be seen in Figure 2 of *Fina*, the lateral fluid conduit (16) terminates proximally at a location separate from the longitudinal fluid conduit (7), and is pressurized using a separate fluid source to permit the two balloons (2,8) to be selectively inflated or deflated. Since *Fina* does not disclose or suggest a dual balloon valve control accessory device including a second fluid line being in fluid communication with a first fluid line at a bifurcation point located at the proximal end of the second fluid line, Applicants respectfully assert that claim 1 is not anticipated under 35 U.S.C. § 102(b).

Because independent claim 1 is allowable, dependent claims 2-5 are also allowable for the reasons stated above, and since they add other significant elements to distinguish them from the cited prior art.

On page 2 of the Office Action, the Examiner rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Fina* (U.S. Patent No. 4,911,163) in view of *Gaiser* (U.S. Patent No. 4,753,238). Moreover, on page 3 of the Office Action, the Examiner rejected claims 7-9 under 35 U.S.C. § 103(a) as being unpatentable over *Fina* (in view of *Landman* (E.P. '158).

For reasons similar to that discussed above and for other reasons, Applicants respectfully assert that claims 6-9 are not unpatentable over *Fina* in view of either *Gaiser* or *Landman*. As discussed above, *Fina* does not disclose or suggest a dual balloon valve control accessory device having a second fluid line being in fluid communication with a first fluid line at a bifurcation point located at the proximal end of the second fluid line. The *Gaiser* and *Landman* references similarly fail to disclose this element. Accordingly, Applicants respectfully assert that claims 6-9 are also patentable over the cited prior art.

Information Disclosure Statements

On the Office Action Summary sheet accompanying the January 15, 2004 Office Action, the Examiner checked the box indicating that 2 IDS form 1449's were considered. Accompanying the Office Action, however, was only 1 page of an IDS form 1449 stamped by the OIPE, but unsigned by the Examiner. Applicants respectfully request that the Examiner consider both IDS's filed on February 12, 2002 and June 24, 2003.

Allowable Subject Matter

On page 3 of the Office Action, the Examiner states that claims 10-18 are allowed.

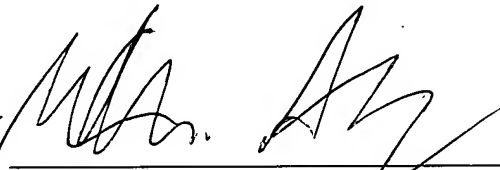
Application No. 10/021,517
Amendment dated March 11, 2004
Reply to Office Action of January 15, 2004

In view of the foregoing, Applicants respectfully assert that all pending claims are in condition for allowance. Reexamination and reconsideration are respectfully requested. If the Examiner would like to discuss the Application or its examination, please contact the undersigned at (612) 677-9050.

Respectfully submitted,

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By their Attorney,

Date: March 11, 2004 
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